

To Whom It May Concern:

On behalf of Documented and the Intercept, pursuant to FOIA, I request records of the following type in the possession, custody, or control of the Environmental Protection Agency (EPA) for the time period starting from July 1, 2018 up through and including the date that you conduct your search for documents:

1. All emails, text messages, faxes, voice mails, and other form of communications from, or to Andrew Wheeler with any person outside of the EPA.
2. All calendars, whether electronic or in paper format, of Andrew Wheeler for the above listed time period.
3. All sign-in sheets or other records memorializing attendance at any meetings with Andrew Wheeler for the above-listed time period at which a person outside of EPA was in attendance.
4. All emails, faxes, voicemails, texts or other forms of communication that have been deleted which fit the above specifications and which remain recoverable in any way. If fulfilling this specification requires additional time, we would ask that production of documents meeting specifications 1-3 be given priority and processed separately from any potential responsive records to this specification.

For purposes of this request, the term “person outside of EPA” means any person who is not an employee within the EPA. You may specifically exclude from processing and release any records that are publicly available (e.g., through [regulations.gov](https://www.regulations.gov)).

This request includes communication related to EPA that is or was on any system or device, computer, phone, smartphone, tablet, email account, cloud, server or other communication system either personal or business that is or was owned or operated by Andrew Wheeler or otherwise established for the purposes of communicating with that individual. This request includes all emails or other communications from any personal account operated by Andrew Wheeler which have been forwarded into an EPA government email account.

This request applies to all email accounts assigned to or operated by Andrew Wheeler, whether on an official EPA email address or server or not, that relate to official business of EPA. This request applies to so-called “alias” email accounts that may or may not include the name(s) of Andrew Wheeler in the email address.

"Records" as used here means information of any kind, including writings (handwritten, typed, electronic or otherwise produced, reproduced or stored), letters, memoranda, correspondence, notes, applications, completed forms, studies, reports, reviews, guidance documents, policies, telephone conversations, telefaxes, emails, documents, databases, drawings, graphs, charts, photographs, minutes of meetings, electronic and magnetic recordings of meetings, and any other compilation of data from which information can be obtained. Without limitation, the records requested include records relating to the topics described below at any stage of development, whether proposed, draft, pending, interim, final or otherwise. All of the foregoing are included in this request if they are in the possession of or otherwise under the control of EPA, National Headquarters and all of its Offices, Regions and other subdivisions.

The requester is entitled to a fee waiver because he is a member of the news media, and because this request for records concerns activities or operations of the government. Disclosure of the requested records will likely increase public understanding of government operations since the requester has the ability and the intention, through the means described below, to effectively convey information contained within the requested records to a broad public audience. Requester is an investigative journalist and the director of Documented, an investigative watchdog and reporting group that explores the relationship between industry and government. Nick Surgey writes for the Intercept.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter.

I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,
Nick Surgey

